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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER	
SON P. HUYNH	
ART UNIT	**PAPER**
2424	20100427

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

It is noted that for each NPL document, listed on the respective PTO-1449 forms filed in the instant application, with no date information a 'no date' annotation has been assigned by the examiner to each as the date information was not readily obtainable.

/Son P Huynh/
Primary Examiner, Art Unit 2424

DETAILED ACTION

1. A double patenting administrative requirement is not being required by the examiner in the instant application since the examiner has independently conducted a double patenting analysis of the claims in the instant application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview and/or e-mail communication with Applicant's representative, Carl Benson (Reg. No. 38,378) on April 27, 2010.

The application has been amended as follows:

In the specification:

Page 430, line 2, phrase ",at page 289, line 35" has been deleted.

Page 433, lines 13-14, phrase "(see the paragraph that begins above at page 291, line 9)" has been deleted.

Page 433, lines 15-16, phrase “(see the paragraph that begins above at page 291, line 9)" has been deleted.

In the claims:

1-2. (Cancelled)

3. (Currently Amended) A method of processing signals to automatically control a presentation, said method comprising the steps of:

receiving a television signal including television programming from a remote source and communicating said television signal to a storage device;

receiving ~~an~~ a first instruct signal and a second instruct signal ~~which is effective to instruct a computer at a user station to supplement or complete said television programming at an output device~~;

receiving information from a local input prior to receiving said television signal;

storing said information;

selecting ~~one of:~~

~~(1)~~ a time at which to communicate a transmission including said television signal and said second instruct signal [;] and

~~(2)~~ a location to which to communicate said ~~instruct signal~~ transmission based on said information;

communicating said second instruct signal at said selected time [or] to said selected location; ~~and~~

storing said television signal ~~and~~, said first instruct signal and said second instruct signal at said storage device according to said information; [.]

automatically transmitting said first instruct signal from said storage device to a computer at a remote user station;

automatically transmitting said transmission from said storage device to said computer;

wherein said computer, in response to receiving said first instruct signal from said storage device, automatically generates a plurality of graphic overlays, each of said plurality of graphic overlays containing content related to said television programming and at least one of said plurality of graphic overlays containing user specific information, and said computer, in response to receiving said second instruct signal from said storage device and after at least a portion of said television programming is displayed at an output device, provides said at least one of said plurality of graphic overlays to said output device such that said plurality of graphic overlays are sequentially provided to said output device in a predetermined order and displayed simultaneously on said output device with one of said plurality of graphic overlays over another of said plurality of graphic overlays.

4. (Currently amended) The method of claim 3, wherein said second instruct signal is embedded in said television signal.

5-7. (Canceled)

8. (Currently Amended) A method of generating signals to automatically control a presentation comprising the steps of:

generating a programming signal that includes video at a source;

generating an instruction at said source; ~~, said instruction having effect to instruct a user station processor to generate or output information to supplement or complete said video;~~

embedding said instruction in said programming signal; ~~and~~

communicating said programming signal and said instruction to a storage device;

storing said programming signal including said video and said ~~embedded~~ instruction in said storage device; [.]

automatically transmitting said video and said instruction from said storage device to a remote user station processor,

wherein said remote user station processor, in response to receiving said instruction from said storage device, automatically generates information to supplement or complete said video at an output device, said information for inclusion in a plurality of graphic overlays, each of said plurality of graphic overlays containing content related to said video and at least one of said plurality of graphic overlays containing user specific information, said plurality of graphic overlays for display after said video at said output device by providing each of said plurality of graphic overlays to said output device in a predetermined order and by displaying said plurality of graphic overlays simultaneously with one of said plurality of graphic overlays on top of another of said plurality of graphic overlays.

9-20 (Canceled).

21. (Previously presented) The method of claim 3, wherein said storage device comprises one or more storage locations in a network.

22. (Previously presented) The method of claim 3, wherein said storage device comprises a memory.

23. (Previously presented) The method of claim 22, wherein said memory comprises a tape.

24. (Previously presented) The method of claim 22, wherein said memory comprises a disk.

25. (Currently amended) The method of claim 3 further comprising the step of communicating ~~one of~~ said television signal and said second instruct signal from a first part of said storage device to a second part of said storage device.

26. (Currently amended) The method of claim 25, further comprising the step of

reorganizing the storage of said television signal and said second instruct signal at said storage device.

27 - 32. (Cancelled)

33. (Currently Amended) A method of processing signals using a computer at a user station to control at least one of a television and a media presentation comprising the steps of:

receiving a television signal including first television programming from a remote source and communicating said television signal and said first television programming to a storage device, said first television programming including audio;

receiving processor instructions ~~which are capable of~~ for instructing [a] said computer to present, with said first television programming at at least one output device, user specific information to at least one of complete and supplement said first television programming by generating said user specific information, said user specific information included in at least one of a plurality of graphic overlays, each of said plurality of graphic overlays containing content related to said first television programming and sequentially provided to said output device in a predetermined order after said output device displays at least a portion of said first television programming and by causing said at least one of said plurality of graphic overlays to be displayed at said output device, said plurality of graphic overlays displayed simultaneously on said output device with one of said plurality of graphic overlays on top of another of said plurality of graphic overlays;

receiving a control instruction from a local input prior to receiving said first television programming and said processor instructions;

storing said control instruction;

automatically selecting ~~at least one of: (1)~~ at least one first time at which to communicate said processor instructions [;] and

~~(2)~~ at least one first location to which to communicate said processor instructions according to said control instruction;

communicating said processor instructions to said storage device based on said

step of automatically selecting; ~~and~~

storing said television signal, said first television programming, and said processor instructions at said storage device concurrently according to said control instruction; [.]

automatically transmitting said television signal and said processor instructions from said storage device to said computer at said user station.

34 - 37. (Cancelled)

38. (Currently amended) A method of embedding processor instructions to control a presentation comprising the steps of:

receiving from a remote source a television program that includes video information, said video information including at least three video images to be outputted at at least one output device at a subscriber station in a predetermined sequence;

receiving said processor instructions and at least one control instruction, said processor instructions ~~capable of~~ for instructing a subscriber station apparatus to ~~at least one of~~ process and output subscriber specific information pertaining to said television program, said at least one control instruction ~~capable of~~ for causing said subscriber station apparatus to operate under control of said processor instructions;

commencing communication of said television program to a storage device;

embedding said processor instructions and said at least one control instruction in a signal including said television program while said signal and said television program are being communicated; ~~and~~

storing said signal including said television program, said embedded processor instructions, and said embedded at least one control instruction in said storage device[.] ;

automatically transmitting said television program, said processor instructions from said storage device to said subscriber station apparatus for processing according to said at least one control instruction;

generating, using said subscriber station apparatus, a plurality of generated graphic overlays in accordance to said processor instructions;

after displaying said television program, sequentially providing said plurality of generated graphic overlays to said at least one output device in a predetermined order according to said processor instructions, wherein each of said plurality of generated graphic overlays contains content related to said television program;

displaying said plurality of generated graphic overlays simultaneously on said at least one output device, said step of displaying includes displaying one generated graphic overlay on top of another generated graphic overlay;

wherein said plurality of generated graphic overlays including at least one generated graphic overlay containing said subscriber specific information pertaining said television program; and

after displaying at least one of said plurality of generated graphic overlays, generating at said remote source, a signal to control said subscriber station apparatus to display said at least one generated graphic overlay containing said subscriber specification information.

39 - 51. (Canceled)

52. (Previously Presented) The method of claim 33 wherein said storage device includes at least one of a tape and a disk, said method further comprising the steps of:

communicating said television signal, said first television programming, and said processor instructions to said at least one of a tape and a disk; and

storing said television signal, said first television programming, and said processor instructions at said at least one of a tape and a disk concurrently.

53 - 61. (Canceled)

62. (Currently amended) The method of claim 33, wherein (i) at least a first of said processor instructions is capable of instructing said computer to generate information to

complete said first television programming and (ii) at least a second of said processor instructions is capable of outputting from said computer ~~a portion of said information to at least one of complete and supplement said first television programming~~ said at least one of said plurality of graphic overlays,

said method further comprising the steps of:

selecting at least one of:

(1) a second time at which to communicate said processor instructions, and

(2) a second location to which to communicate said processor instructions; and

communicating one of (i) said at least said first of said processor instructions and (ii) said at least said second of said processor instructions to said storage device based on said step of selecting at least one of said second time and said second location.

63 - 66. (Canceled)

67. (Currently Amended) The method of claim 38, wherein said storage device includes at least one of a tape and a disk, said method further comprising the steps of:

communicating [a] said television program, said video information, and said processor instructions to said at least one of a tape and a disk; and

storing said television program, said video information, and processor instructions, and said at least one control instruction, at said at least one of a tape and a disk concurrently.

68. (Currently Amended) The method of claim 38, further comprising the step of:

receiving at least one control signal which operates to output said television program, said video information, said processor instructions, and said at least one control instruction from said storage device.

69 - 76. (Cancelled)

77. (Previously Presented) The method of claim 38, wherein (i) at least a first of said processor instructions is capable of instructing said subscriber station apparatus to generate information to complete said video information and (ii) at least a second of said processor instructions is capable of outputting from said subscriber station apparatus a portion of said information to complete said video information, said method further comprising the steps of:

selecting at least one of:

(1) at least one time at which to communicate said processor instructions; and

2) at least one location to which to communicate said processor instructions; and

embedding at least one of said a least a first of said processor instructions and said at least a second of said processor instructions in said signal based on said step of selecting at least one of said at least one time and said at least one location.

78 - 95. (Cancelled)

96. (Currently Amended) A method of processing signals to control a multimedia presentation comprising the steps of:

receiving, from a remote source, a television signal including television programming and communicating said television signal and said television programming to at least one storage device, said television programming comprising audio and a plurality of video images to be displayed in at least one predetermined sequence at an output device, said at least one predetermined sequence including full motion video;

receiving at least one first instruction signal ~~which is capable of~~ for instructing a computer at a receiver station to conduct a procedure of at least one of inputting and responding to a subscriber reaction to said television programming, said procedure including adjusting said receiver station to receive an information transmission including supplemental information to said television programming and outputting said supplemental information;

selecting ~~at least one of:(1)~~ at least one time at which to communicate said at least one first instruction signal [;] and

~~(2)~~ at least one first location to which to communicate said at least one first instruction signal based on information received from a local input and stored prior to receiving said television programming and said at least one first instruction signal;

communicating said at least one first instruction signal ~~at least one of (i)~~ at said at least one selected time ~~and (ii)~~ to said selected at least one first location, based on said step of selecting; ~~and~~

storing said television signal, said television programming, and said at least one first instruction signal at said at least one storage device concurrently; and [.]

automatically transmitting said television signal, said television programming, and said at least one first instruction signal from said storage device to said computer;

generating at said computer, in response to receiving said at least one first instruction signal from said storage device, plurality of graphic overlays for displaying said supplemental information at said output device, each of said plurality of graphic overlays containing content related to said television programming and at least one of said plurality of graphic overlays containing user specific information; and

displaying said plurality of graphic overlays after displaying said television programming on a television screen of said output device by displaying each of said plurality of graphic overlays on said television screen in a predetermined order, and displaying said plurality of graphic overlays simultaneously with one of said plurality of graphic overlays on top of another of said plurality of graphic overlays.

97. (Currently amended) The method of claim 96, further comprising at least one of the steps of:

embedding said first instruction signal in said television signal;

embedding at least one of a first code and a first datum in said television programming that enables said computer to locate at least one of a second code and a second datum;

communicating a program unit identification code to said storage device and storing said program unit identification code at a storage location associated with said television programming;

communicating to and storing at said storage device information to evidence at least one of an availability, use, and usage of at least one of said television programming, said first instruction signal, and executable code at ~~a subscriber~~ said receiver station;

storing at said storage device a second instruction signal which is effective at ~~a subscriber~~ said receiver station to generate output information content to be associated with said television programming;

storing at said storage device a second instruction signal which is effective at ~~a subscriber~~ said receiver station to display at least one of a combined and a sequential presentation of said television programming and at least one subscriber specific datum;

storing at said storage device a second instruction signal which is capable of enabling ~~a subscriber~~ said receiver station to respond to a subscriber reaction inputted by at least one of said computer and a processor;

storing at said storage device a second instruction signal which is capable of enabling ~~a subscriber~~ said receiver station to communicate to a remote station a query in respect of information at least one of (i) to be associated with said television programming and (ii) to enable display of said television programming;

storing at said storage device a second instruction signal which is effective to control ~~a subscriber~~ said receiver station to receive information to at least one of complete and supplement said television programming;

storing at said storage device a second instruction signal which is effective at a subscriber station to process a digital television signal; and

storing at said storage device said at least one of ~~said~~ a first code and ~~said~~ a first datum to serve as a basis for enabling at least one of (i) ~~an~~ said output device to display at least a portion of said television programming and said computer to process ~~said~~ executable code.

98. (Currently Amended) The method of claim 96, ~~wherein said selected at least one first location is in said television signal, said method~~ further comprising the step of:

storing at said storage device concurrently with said television programming and said first instruction signal information that evidences at least one from the group consisting of:

(1) a title of a television program;

(2) a use of programming;

(3) a transmission station;

(4) a receiver station;

(5) a network;

(6) a broadcast station;

(7) a channel on a cable system;

(8) a time of transmission;

(9) an identification of an instruction signal;

(10) at least one of a source and a supplier of data;

(11) at least one of a distributor and an advertisement; and

(12) an indication of a payment obligation.

99. (Currently amended) The method of claim 96, wherein said first instruction signal is embedded in said television signal, said method further comprising the steps of:

selecting at least one <u>datum</u> from the group consisting of:

(1) a datum that identifies computer software in said television signal;

(2) a datum that designates an addressed apparatus;

(3) a datum that is part of a decryption code;

(4) a datum to be compared to a communication schedule; and

embedding said selected at least one datum in said television signal; and

storing said selected at least one datum at said storage device concurrently with said television programming and said first instruction signal.

100. (Previously Presented) The method of claim 96, wherein said first instruction signal includes code, said method further comprising the steps of:

selecting at least one second instruction signal, said at least one second instruction signal including at least one from the group consisting of:

(1) a switch control signal;

(2) a timing control signal;

(3) a locating control signal;

(4) an instruct-to-contact signal that designates a remote receiver station;

(5) an instruct-to-transfer signal that designates one of broadcast and cablecast programming;

(6) an instruct-to-delay signal that designates one of broadcast or cablecast programming;

(7) at least one of an instruct-to-decrypt and an instruct-to-interrupt signal that designates programming and a way to at least one of decrypt and interrupt;

(8) at least one of an instruct-to-enable and an instruct-to-disable signal that designates an apparatus;

(9) an instruction-to-record signal that designates at least one of a broadcast and a cablecast program;

(10) a control signal that controls a multimedia presentation;

(11) an instruction signal that governs at least one of a broadcast and a cablecast receiver station environment;

(12) an instruct-to-power-on signal that designates a receiver;

(13) an instruct-to-tune signal that designates at least one of a receiver and a frequency;

(14) an instruct-to-coordinate signal that designates at least two apparatus;

(15) an instruct-to-compare signal that designates at least one of a news transmission and a computer input;

(16) an identifier signal that causes a computer to instruct a plurality of tuners each to tune to at least one of a broadcast and a cablecast transmission;

(17) an instruct-to-coordinate signal that designates at least two portions of information and at least one of: (1) an output time and (2) an output place;

(18) an instruct-to-generate signal that designates at least one output datum;

(19) an instruct-to-transmit signal that designates at least one computer output;

(20) an instruct-to-overlay signal that designates at least one television image;

(21) an instruct-that-if signal that designates a function to perform if a predetermined condition exists;

(22) an instruct-to-enable-and-deliver signal that designates information that at least one of completes and supplements a television program;

(23) an instruct-to-transmit signal that designates a computer peripheral device;

(24) a code signal that designates at least one datum to at least one of remove and embed;

(25) a signal addressed to a receiver station apparatus;

(26) an instruct-to-store signal that designates at least a portion of a program to be at least one of broadcast and cablecast;

(27) an instruct-to-transmit signal that designates at least a portion of a program to be at least one of broadcast and cablecast;

embedding said selected at least one second instruction signal in said television signal; and

storing said selected at least one second instruction signal at said at least one storage device concurrently with said television programming and said first instruction signal.

101 - 118. (Cancelled)

119. (Previously presented) The method of claim 96, wherein said selected at least one first location includes a memory location at said at least one storage device and said step of communicating said at least one first instruction signal further comprises:

communicating at least a portion of said at least one first instruction signal to said memory location.

120. (Previously presented) The method of claim 119, wherein said at least one storage device includes at least one of a disk and a tape and said memory location is included within said at least one of said disk and said tape.

121. (Previously presented) The method of claim 120, wherein said television signal, said television programming, and said at least one first instruction signal are stored concurrently on one of said at least one of said tape and said disk.

122. (Previously presented) The method of claim 121, wherein only some of an audible portion of said television programming prompts for input of said subscriber reaction, said method further comprising the steps of:

selecting at least one second location to which to communicate said at least said first instruction signal, said at least one second location being within said television signal but outside said audible portion; and

embedding said at least one first instruction signal in said at least one second location.

123. (Previously presented) The method of claim 122, wherein said at least said first instruction signal is embedded in said at least one second location before said television signal is stored, wherein said television programming, and said at least said first instruction signal are stored concurrently on said one of said at least one of said tape and said disk.

124. (Previously presented) The method of claim 121, further comprising the steps of:

selecting at least one second location to which to communicate said at least one first instruction signal, said at least one second location being within said television signal but outside a portion including said video images to be displayed; and

embedding said at least one first instruction signal in said at least one second location.

125. (Previously presented) The method of claim 124, wherein said at least one first instruction signal is embedded in said at least one second location before said television signal is stored, wherein said television programming and said at least one first instruction signal are stored concurrently on one of said at least one of said tape and said disk.

126. (Previously presented) The method of claim 96, wherein said selected at least one time is before said television signal is stored, wherein said television programming and said at least one first instruction signal are stored concurrently at said at least one storage device.

127. (Currently Amended) The method of claim 126, comprising the steps of: selecting a second location to which to communicate said at least one first instruction signal, said ~~at least one~~ second location being within said television signal but outside an audible portion; and

embedding said at least one first instruction signal in said ~~at least one~~ second location.

128. (Currently Amended) The method of claim 127, wherein said at least one first instruction signal is embedded in said ~~at least one~~ second location at said selected at least one time.

129. (Previously presented) The method of claim 126, further comprising the step of:

selecting at least one second location to which to communicate said at least one first instruction signal, said at least one second location being within said television signal but outside a portion including said video images to be displayed; and

embedding said at least one first instruction signal in said selected at least one first location.

130. (Currently Amended) The method of claim 129, wherein said at least one first instruction signal is embedded in said selected at least one first location at said at least one time.

131. (Previously presented) The method of claim 96, wherein said selected at least one first location includes a second location in said television signal and said step of communicating said at least one first instruction signal further comprises the step of: embedding at least a portion of said at least one first instruction signal in said second location in said television signal.

Allowable Subject Matter

3. Claims 3-4,8,21-26,33,38,52,62,67-68,77,96-100,119-131 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Regarding claims 3-4,8,21-26,33,38,52,62,67-68,77,96-100,119-131, the prior art of record fails to disclose or fairly suggest method and apparatus for processing signal to automatically control a presentation as variously claimed including storing information received from a local input, storing television, first instruct signal, second instruct signal based on the stored information, automatically selecting and transmitting stored first instruct signal and the transmission to a computer at remote user station on channel and time based on the information, wherein the computer, in response to receiving the first instruct signal from the storage device, automatically generates a plurality of graphic overlays, each of the plurality of graphic overlays containing content related to said video and at least one of the plurality of graphic overlays containing user specific

information, the plurality of graphic overlays for display after the video at an output device by providing each of the plurality of graphic overlays to the output device in a predetermined order and by displaying the plurality of graphic overlays simultaneously with one of the plurality of graphic overlays on top of another of the plurality of graphic overlays.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SON P. HUYNH whose telephone number is (571)272-7295. The examiner can normally be reached on 9:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Son P Huynh/ April 27, 2010
Primary Examiner, Art Unit 2424